

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

SARAH JONES, )  
                    )  
                    )  
Plaintiff,       )  
                    )  
                    )  
v.                 )       Case No. 4:18-cv-00901  
                    )  
                    )  
SAINT LUKE'S MEDICAL GROUP,       )  
a/k/a SAINT LUKE'S PHYSICIAN     )  
GROUP, INC.,       )  
                    )  
                    )  
Defendant.       )

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant Saint Luke's Physician Group, Inc. ("SLPG") f/k/a Saint Luke's Medical Group hereby gives notice of removal of this cause of action to the United States District Court for the Western District of Missouri. SLPG removes this action based on federal question jurisdiction in that Plaintiff brings a claim under the Family Medical Leave Act, 29 U.S.C. 2601 et seq. ("FMLA"). In support of this Notice of Removal, SLPG states the following:<sup>1</sup>

**I. BACKGROUND AND PROCEDURAL HISTORY**

1. On July 30, 2018, Plaintiff filed this action in the Circuit Court of Jackson County, Missouri at Independence (Case No. 1816-CV19343).
2. Plaintiff served SLPG with the Summons and Petition on October 18, 2018.  
*See Petition (Ex. B).*

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<sup>1</sup>*See Civil Cover Sheet (Ex. A) (seeking removal to the Western District of Missouri).*

3. Plaintiff alleges violation of the FMLA, in support of which Plaintiff relies on federal law, 29 U.S.C. 2601 et seq.

4. Plaintiff also brings claims of disability discrimination and retaliation, in support of which Plaintiff relies on Missouri state law, R.S. MO. 213.055 and R.S. MO. 213.070.

## **II. FEDERAL QUESTION JURISDICTION**

5. Plaintiff's claim under the FMLA is within this Court's federal question jurisdiction, 28 U.S.C. § 1331. Pursuant to 28 U.S.C. § 1441(a), an action within this Court's federal question jurisdiction is removable without regard to the citizenship or residence of the parties.

6. This Court may exercise supplemental jurisdiction over Plaintiff's state disability discrimination and retaliation claims.

## **III. VENUE IS PROPER**

7. Because the Circuit Court of Jackson County lies in the Western District of Missouri, this Court is the appropriate venue for removal. *See* 28 U.S.C. § 1441(a).

## **IV. COMPLIANCE WITH REMOVAL PROVISIONS**

8. SLPG received service of Plaintiff's Petition on October 18, 2018. Pursuant to 28 U.S.C. § 1446(b), SLPG timely filed this Notice of Removal within 30 days of receiving such service.

9. The Summons and Petition attached as Exhibit B are the only process, pleadings, and/or orders served upon SLPG in the state court action and, thus, it has complied with 28 U.S.C. §1446(a).

10. Promptly after filing this Notice, the undersigned will provide written notice to Plaintiff and file a copy with the Circuit Court of Jackson County, as required by 28 U.S.C. § 1446(d).

11. SLPG reserves the right to amend or supplement this Notice of Removal. For the foregoing reasons, SLPG hereby requests that the above-captioned state court action be removed to this Court from the Circuit Court of Jackson County, Missouri.

Respectfully submitted,

/s/ Alyssa M. Sediqzad  
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ATTORNEYS FOR DEFENDANT

**CERTIFICATE OF SERVICE**

I hereby certify that on this 13th day of November, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and further certify that I have mailed by U.S. Mail, first-class postage prepaid, the document to the following counsel of record:

Albert F. Kuhl  
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ATTORNEY FOR PLAINTIFF

/s/ Alyssa M. Sediqzad  
Attorney for Defendant